



Attorney's Docket No.: 06497-013002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James C. Liao Art Unit : 1652
Serial No. : 10/048,186 Examiner : Rebecca Prouty
Filed : June 19, 2002
Title : ENGINEERING OF METABOLIC CONTROL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), Food Industry Research and Development Institute (FIRDI), a Taiwan corporation having a place of business at P.O. Box 246, Hsinchu, 300 Taiwan, REPUBLIC OF CHINA, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of: an assignment from the inventor of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011355, Frame 0313 on December 6, 2000.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. 6,706,516, whereby the patent granted on this application and U.S. 6,706,516 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. 6,706,516.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. 6,706,516 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise

02/23/2005 EAREGAY1 00000026 10048186

01 FC:2814

65.00 OP

Applicant : James C. Liao
Serial No. : 10/048,186
Filed : June 19, 2002
Page : 2 of 2

Attorney's Docket No.: 06497-013002

terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. 6,706,516.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$65 for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted for the assignee by:

Date: Feb 17, 2005



Tin-Yin Liu

Title: Director

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21027213